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COMMISSION
OFFICE OF GENERAL
COUNSEL

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November 17, 2003

Joshua Heller, Esq
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 5391

Dear Mr. Heller:

I am writing on behalf of my client, the Democratic Party of Virginia ("DPV") and Abbi G. Easter, as Treasurer, in the above-referenced MUR.

The respondents received the Commission's letter of October 27, 2003 regarding this matter on Wednesday, November 5, 2003. Due to several factors described below, we request an additional (30) days beyond the normal 15-day reply time to respond to the Commission's Factual and Legal Analysis and conciliation proposal. There are several reasons for this request:

- (1) The staff that was responsible for undertaking financial the financial transactions at question in this matter left the party soon after the 2000 election and are not currently available to discuss this matter. Furthermore, we do not expect those staff to be cooperative in assisting the DPV in this matter. Furthermore, the Executive Director of the DPV at the time of the 2000 election, Alan Moore, is also no longer with the DPV.

- (2) The DPV requested that its accountant conduct a comprehensive review of its financial transactions during the 2000 election. The committee paid the accountant several thousand dollars to review these activities and file amendments to the DPV reports, which are the very amendments that are at issue in this matter. Unfortunately, the accountant is seriously ill and the DPV has been unable to contact her since the receipt of this letter. The accountant is the sole person that we believe would have any firsthand knowledge as to the issues raised in this matter and would be in a position to provide the Commission with the information requested in page one of its letter of October 27, 2003 to the DPV. At this stage it is unclear whether the accountant will be available at all to assist in this matter.
- (3) On November 15, 2003, the DPV elected a new Chairman. Consequently, the new chair needs to be briefed about this matter and there may be a period of flux with respect to administration and personnel at the DPV.
- (4) If the DPV is unsuccessful in contacting its accountant, it will need to search its own files, which are currently archived, to determine if it has any documents that are responsive to the Commission's request for additional information and possibly reconstruct the circumstances surrounding the transactions at issue in this matter.

If this extension request is granted, our response would be due on Monday, December 22, 2003. It should be noted that, based upon the status of potential negotiations between the DPV and the Commission, as well as the possible insistence by the Commission that the DPV provide the requested documentation, it may be necessary to request additional time to respond to the Commission's letter and request if the Committee is unable to communicate with its accountant or former staff regarding this matter.

Thank you for your time and attention to this request.

Sincerely yours,



Neil P. Reiff
Attorney for Respondents